

Amendments to the Claims:

Claim 20 has been canceled and claims 1-19, 21-26, 29-34, and 36-41 have been amended herein. Please note that all claims currently pending and under consideration in the referenced application are shown below. Many claims have been amended for clarity and to address and avoid possible antecedent basis issues. Other, more substantive, amendments are described in the remarks section, where appropriate. Please enter these claims as amended. This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

1. (currently amended) In a networked communication system that does not require reliable networking connections and which includes a first communication node and a second communication node, wherein the first and second communication nodes employ wireless communication when within communication range, a method for replicating data, ~~by employing opportunistic data transfer between the communication nodes to propagate redundant copies of the data, the method comprising the steps for:~~
using a first monitor at the first communication node and a second monitor at the second communication node to determine when the first and second communication nodes are within communication range, wherein at least one of the first and second communication nodes is mobile;
creating a dynamic connection between the first and second communication nodes while in communication range; and
~~employing an opportunistic data transfer between the first and second communication nodes across the dynamic connection while the dynamic connection is activated, wherein the opportunistic data transfer comprises:~~
replicating data at the first and second communication nodes by propagating a redundant copy of the data across the dynamic connection.

2. (currently amended) A method as recited in claim 1, wherein ~~the step for~~ replicating includes comparing data stored locally at the first communication node with data stored locally at the second communication node.

3. (currently amended) A method as recited in claim 2, wherein if the data stored at the first communication node includes first information that is not stored at the second communication node, the ~~step for act of~~ replicating includes storing a copy of the ~~non-stored~~first information at the second communication node.

4. (currently amended) A method as recited in claim 3, wherein ~~the non-stored~~first information includes an instruction to delete information.

5. (currently amended) A method as recited in claim 4, wherein the ~~non-stored~~first information includes an instruction to modify information.

6. (currently amended) A method as recited in claim 2, wherein the first communication node includes a first opportunistic data transfer protocol component and the second communication node includes a second opportunistic data transfer protocol component.

7. (currently amended) A method as recited in claim 6, wherein ~~as~~ the first and second opportunistic data transfer protocol components perform the ~~steps for acts of~~ using the first and second monitors and for creating the dynamic connection.

8. (currently amended) A method as recited in claim 7, further including ~~the steps~~ for:
using the first and second monitors and a third monitor at a third communication node to
determine when the first, second and third communication nodes are within
communication range, wherein the third communication node includes a third
opportunistic data transfer protocol component, and wherein at least one of the first,
second, and third communication nodes is mobile; and
including the third communication node in the dynamic connection.
9. (currently amended) A method as recited in claim 8, wherein the ~~step for~~act of
replicating data includes replicating data among the first second and third communication nodes.
10. (currently amended) A method as recited in claim 9, wherein when at least one
of the first, second and third communication nodes is no longer within communication range,
excluding the at least one communication node from the dynamic connection.
11. (currently amended) A method as recited in claim 10, wherein when the at least
one communication node is again within communication range, including the at least one
communication node in the dynamic connection and continuing to replicate data with the at least
one communication node across the dynamic connection.
12. (currently amended) A method as recited in claim 7, wherein ~~when~~ the dynamic
connection is disconnected and the first communication node is within communication range of a
fourth communication node that includes a fourth opportunistic data transfer component and a
fourth monitor, performing the ~~steps for~~acts of:
creating a second dynamic connection between the first and fourth communication nodes while
the first and fourth communication nodes are within communication range; and
replicating data across the second dynamic connection.

13. (currently amended) A method as recited in claim 12, wherein the fourth communication node is an intended archival system that includes a storage device.

14. (currently amended) A method as recited in claim 13, wherein if the data stored at the first communication node includes information that is not preserved at the fourth communication node, the ~~step for~~act of replicating includes storing an archival copy of the non-preserved information at the fourth communication node, and wherein when the non-preserved information is stored at the fourth communication node, initiating instructions from the fourth communication node to the first communication node to delete the non-preserved information.

15. (currently amended) A method as recited in claim 14, wherein the fourth communication node is mobile.

16. (currently amended) A method as recited in claim 15, wherein when the first and fourth communication nodes are no longer within communication range, disconnecting the second dynamic connection.

17. (currently amended) A method as recited in claim 16, wherein when the first communication node is within communication range with a fifth communication node that includes a fifth monitor and a fifth opportunistic data transfer protocol component, performing the ~~steps for~~acts of:
creating a third dynamic connection between the first and fifth communication nodes while in communication range; and
replicating data across the third dynamic connection, including deleting any non-preserved information at the fifth communication node.

18. (currently amended) A method as recited in claim 17, wherein the second and fifth communication nodes are the same communication node.

19. (currently amended) A dynamically mobile data communication system for use in moving data and facilitating the arrival of data at an intended archival location, the system comprising:

a plurality of communication nodes capable of employing wireless communication, wherein at least one ~~communication node of the nodes plurality is mobile and wherein at least one of the plurality of communication nodes is an intended archival system;~~

a storage device located at each ~~communication node of the nodes plurality;~~

an opportunistic data transfer protocol component located at each ~~communication node of the nodes plurality,~~ wherein when two or more of the ~~communication nodes of the plurality~~ are within communication range, the ~~opportunistic data transfer protocol component at each of the two or more communication nodes is configured to create~~ a dynamic connection for communication among the two or more ~~communication nodes~~ so long as the two or more ~~communication nodes~~ are within communication range.

20. (canceled)

21. (currently amended) A dynamically mobile data communication system as recited in claim ~~20~~ 19, wherein at least one of the plurality of communication nodes ~~is configured to~~ gathers data.

22. (currently amended) A dynamically mobile data communication system as recited in claim 21, wherein when the dynamic connection is created between ~~at least two the two or more communication nodes of the plurality nodes,~~ data is replicated among the ~~at least two two or more communication nodes~~ to provide a redundant copy of data at each of the ~~at least two two or more communication nodes.~~

23. (currently amended) A dynamically mobile data communication system as recited in claim 22, wherein the ~~system is configured to transmit data is transmitted~~ in segments.

24. (currently amended) A dynamically mobile data communication system as

recited in claim 22, wherein the intended archival system ~~is configured to propagate~~ and instruction ~~to delete~~ to one or more communication nodes of the plurality ~~of nodes~~ to delete data from each of the one or more communication nodes.

25. (currently amended) A dynamically mobile data communication ~~stem system~~ as recited in claim 24, wherein the instructions to delete ~~are~~ is propagated upon creating a subsequent dynamic connection between two or more communication nodes of the plurality ~~of nodes~~, wherein at least one of the two or more communication nodes includes the instruction to delete and ~~is configured to~~ issues the instruction ~~to delete~~ to each of the two or more communication nodes of the subsequent dynamic connection.

26. (currently amended) A dynamically mobile data communication system as recited in claim 25, wherein when high priority data is gathered, ~~the system is further configured~~ for transmitting the high priority data to a desired location through the use of a secure link.

27. (Original) A dynamically mobile data communication system as recited in claim 26, wherein the secure link includes one of a cellular link and a satellite link.

28. (Original) A dynamically mobile date communication system as recited in claim 27, wherein the high priority data is transferred in real-time.

29. (currently amended) A computer program product for ~~implementing a method of opportunistic data transfer~~ in a dynamically networked system, the computer program product comprising:

a computer-readable medium carrying computer executable instructions for performing the method, wherein the method comprises the steps for:

determining whether a first communication node and a second communication node are within communication range, wherein if the first and second communication nodes are within communication range, performing an opportunistic data transfer ~~by performing the steps for~~acts of:

creating a dynamic network between the first and second communication nodes;
determining whether the first and second communication nodes are privileged for
data replication;
if the first and second communication nodes are determined to be privileged for
data replication, performing the ~~steps for~~acts of:
comparing first data stored at the first communication node with second
data stored at the second communication node;
if the ~~first data stored at the first node~~ includes first information that is not
~~stored at~~ included in the second ~~node, data,~~ replicating the
~~non-stored~~ storing the first information for ~~storage~~ at the second
communication node; and
if the ~~second data stored at the second node~~ includes second information
not included in the ~~first data stored at the first node~~, transferring
storing the non-included second information for ~~storage~~ at the first
communication node; and
if the first and second communication nodes are not determined to be privileged
for data exchange, ~~performing the step for~~ disconnecting the dynamic
network.

30. (currently amended) A computer program product as recited in claim 29, wherein
the ~~non-stored~~ first information and the ~~non-included~~ second information include one or more
commands to modify data.

31. (currently amended) A computer program product as recited in claim 30, wherein
the one or more commands to modify data include one or more commands to delete data.

32. (currently amended) A computer program product as recited in claim 31, wherein
the ~~step for~~ act of comparing data includes comparing data headers.

33. (currently amended) A computer program product as recited in claim 31, wherein

the ~~step for act of~~ comparing data includes comparing file directory information.

34. (currently amended) A computer program product as recited in claim 31, wherein the method further comprises the ~~steps for acts of~~:
determining whether data is high priority data; and
if the data is high priority data, using a secure link to transmit the high priority data to an intended location.

35. (Original) A computer program product as recited in claim 34, wherein the secure link includes one of a cellular link, and a satellite link.

36. (currently amended) In a dynamic communication system that includes a plurality of communication nodes, where at least one of the communication nodes is mobile, a method ~~for replicating data by employing opportunistic data transfer, the method comprising the acts of comprising~~:

determining whether a first communication node and a second communication node are within communication range, wherein the first communication node is mobile; and wherein if the first and second communication nodes are within communication range, performing ~~an opportunistic data transfer by performing the acts of~~:

creating a dynamic network between the first and second communication nodes;

determining whether the first and second communication nodes are privileged for data replication;

if the first and second communication nodes are determined to be privileged for data replication, performing the acts of:

comparing first data stored at the first communication node with second data stored at the second communication node;

if the first data stored at the first node includes first information that is not stored ~~at the~~ included in the second node data, replicating the non-stored ~~storing the~~ first information for storage at the second communication node; and

if the second data stored at the second node includes second information that is

not included in the ~~first data stored at the first node~~, transferring ~~storing~~
the ~~non-included~~ second information for storage at the first ~~communication~~
node; and

if the first and second ~~communication~~ nodes are not determined to be privileged for data
exchange, ~~performing the act of~~ disconnecting the dynamic network.

37. (currently amended) A method as recited in claim 36, ~~wherein further comprising~~
~~including the non-stored information and the non-included information include~~ one or more
commands to modify data ~~in the first information, the second information, or combination~~
~~thereof~~.

38. (currently amended) A method as recited in claim 37, ~~wherein further comprising~~
~~including the one or more commands to modify data include~~ one or more commands to delete
data ~~in the first information, the second information, or combination thereof~~.

39. (currently amended) A method as recited in claim 38, wherein the ~~step for~~ act of
comparing data includes comparing data headers.

40. (currently amended) A ~~method as computer program product as~~ recited in claim
39, wherein the method further comprises the ~~steps for~~ acts of:
determining whether data is high priority data; and
if the data is high priority data, using a secure link to transmit the high priority data to an
intended location.

41. (currently amended) A ~~method as computer program product as~~ recited in claim
40, ~~wherein further comprising selecting the secure link to~~ includes one of a cellular link and a
satellite link.